AD-A211 657

DTIC ACCESSION NUMBER

DTIC FILE COPY

PHOTOGRAPH THIS SHEET

LEVEL

1

INVENTORY

R87-0915 R87-2075

DOCUMENT IDENTIFICATION

FEB 1987

DISTRIBUTION STATEMENT

ACCESSION FOR	
NTIS GRA&I	X
DTIC TAB	
UNANNOUNCED	
JUSTIFICATION	
BY	
DISTRIBUTION /	
AVAILABILITY CODES	
DIST	AVAIL AND/OR SPECIAL
A-1	

DISTRIBUTION STAMP

DATE ACCESSIONED

DATE RETURNED

89 [illegible] 028

DATE RECEIVED IN DTIC

REGISTERED OR CERTIFIED NO.

PHOTOGRAPH THIS SHEET AND RETURN TO DTIC-FDAC

DTIC FORM 70A
MAR 83

DOCUMENT PROCESSING SHEET

PREVIOUS EDITION MAY BE USED UNTIL STOCK IS EXHAUSTED.

AIR COMMAND AND STAFF COLLEGE

STUDENT REPORT

APPLICABILITY OF THE CODE OF CONDUCT
IN A TERRORIST HOSTAGE SITUATION

MAJOR ROBERT L. GORE, U. S. ARMY 87-0915
MAJOR DAVID W. REANEY, U. S. ARMY 87-2075

"insights into tomorrow"

DISCLAIMER

The views and conclusions expressed in this document are those of the author. They are not intended and should not be thought to represent official ideas, attitudes, or policies of any agency of the United States Government. The author has not had special access to official information or ideas and has employed only open-source material available to any writer on this subject.

This document is the property of the United States Government. It is available for distribution to the general public. A loan copy of the document may be obtained from the Air University Interlibrary Loan Service (AUL/LDEX, Maxwell AFB, Alabama, 36112) or the Defense Technical Information Center. Request must include the author's name and complete title of the study.

This document may be reproduced for use in other research reports or educational pursuits contingent upon the following stipulations:

-- Reproduction rights do not extend to any copyrighted material that may be contained in the research report.

-- All reproduced copies must contain the following credit line: "Reprinted by permission of the Air Command and Staff College."

-- All reproduced copies must contain the name(s) of the report's author(s).

-- If format modification is necessary to better serve the user's needs, adjustments may be made to this report--this authorization does not extend to copyrighted information or material. The following statement must accompany the modified document: "Adapted from Air Command and Staff Research Report (number) entitled (title) by (author) ."

-- This notice must be included with any reproduced or adapted portions of this document.

UNCLASSIFIED

SECURITY CLASSIFICATION OF THIS PAGE

REPORT DOCUMENTATION PAGE

1a. REPORT SECURITY CLASSIFICATION UNCLASSIFIED	1b. RESTRICTIVE MARKINGS
2a. SECURITY CLASSIFICATION AUTHORITY	3. DISTRIBUTION/AVAILABILITY OF REPORT **STATEMENT "A"** **Approved for public release;** **Distribution is unlimited.**
2b. DECLASSIFICATION/DOWNGRADING SCHEDULE	
4. PERFORMING ORGANIZATION REPORT NUMBER(S) 87-0915 87-2075	5. MONITORING ORGANIZATION REPORT NUMBER(S)
6a. NAME OF PERFORMING ORGANIZATION ACSC/EDCC — 6b. OFFICE SYMBOL (If applicable)	7a. NAME OF MONITORING ORGANIZATION
6c. ADDRESS (City, State and ZIP Code) Maxwell AFB AL 36112-5542	7b. ADDRESS (City, State and ZIP Code)
8a. NAME OF FUNDING/SPONSORING ORGANIZATION — 8b. OFFICE SYMBOL (If applicable)	9. PROCUREMENT INSTRUMENT IDENTIFICATION NUMBER
8c. ADDRESS (City, State and ZIP Code)	10. SOURCE OF FUNDING NOS. PROGRAM ELEMENT NO. — PROJECT NO. — TASK NO. — WORK UNIT NO.
11. TITLE (Include Security Classification) APPLICABILITY OF THE CODE OF CONDUCT IN	
12. PERSONAL AUTHOR(S) Gore, Robert L., Major, USA; Reaney, David W., Major, USA	
13a. TYPE OF REPORT — 13b. TIME COVERED FROM ____ TO ____	14. DATE OF REPORT (Yr., Mo., Day) 1987 February — 15. PAGE COUNT 38
16. SUPPLEMENTARY NOTATION ITEM 11: A TERRORIST HOSTAGE SITUATION	
17. COSATI CODES FIELD — GROUP — SUB. GR.	18. SUBJECT TERMS (Continue on reverse if necessary and identify by block number)

19. ABSTRACT (Continue on reverse if necessary and identify by block number)

This report analyzes the U. S. Military Code of Conduct to determine if it provides adequate guidance for U. S. military personnel to model their conduct by when held hostage by terrorists.

20. DISTRIBUTION/AVAILABILITY OF ABSTRACT UNCLASSIFIED/UNLIMITED ☐ SAME AS RPT. ☒ OTIC USERS ☐	21. ABSTRACT SECURITY CLASSIFICATION UNCLASSIFIED
22a. NAME OF RESPONSIBLE INDIVIDUAL ACSC/EDCC Maxwell AFB AL 36112-5542	22b. TELEPHONE NUMBER (Include Area Code) (205) 293-2483 — 22c. OFFICE SYMBOL

DD FORM 1473, 83 APR — EDITION OF 1 JAN 73 IS OBSOLETE.

UNCLASSIFIED

SECURITY CLASSIFICATION OF THIS PAGE

REPORT NUMBER 87-0915 87-2075

TITLE APPLICABILITY OF THE CODE OF CONDUCT IN A TERRORIST HOSTAGE SITUATION

AUTHOR(S) MAJOR ROBERT L. GORE, U.S. ARMY
MAJOR DAVID W. REANEY, U.S. ARMY

FACULTY ADVISOR MAJOR GARY G. RICKETTS, ACSC/EDJ

SPONSOR MAJOR WALTER D. PHILLIPS, AUCPD/JA

Submitted to the faculty in partial fulfillment of requirements for graduation.

AIR COMMAND AND STAFF COLLEGE
AIR UNIVERSITY
MAXWELL AFB, AL 36112

PREFACE

The Code of Conduct was written and adopted to provide the American soldier with an ethical guide by which to formulate behavior while being held prisoner of war. Its development was based on experiences gained from large scale wars: Civil War, World Wars I and II, and the Korean War. Today American soldiers are involved in a new form of war--terrorism. An undeclared war in which military personnel face the same possible misfortune of capture and exploitation by the enemy as they have in previous wars.

This paper will present the background of events which led to the formulation and adoption of our present Code and will examine its intended purpose. We will then determine why U.S. service personnel are taken hostage and how they may expect to be exploited. Finally, the Code of Conduct will be analyzed to determine if it provides adequate guidance by which U.S. military personnel can model their conduct if taken hostage.

ABOUT THE AUTHOR

Major Robert L. Gore graduated from North Georgia College in 1974 with a Bachelor of Arts degree in Business Administration. He received his training through the Army Reserve Officer Training Corps program and was commissioned on 2 June 1974. He completed a Master's Degree in Business Administration from Florida Institute of Technology in 1982.

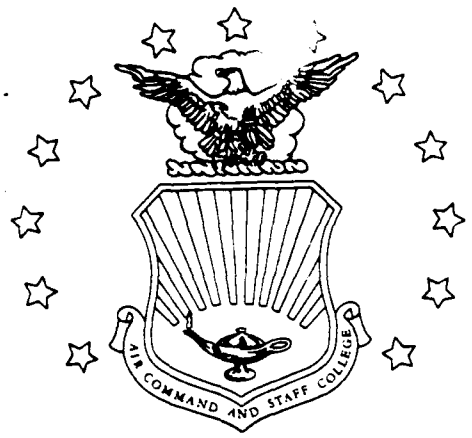
Major Gore completed the Military Police Officer Basic Course at Ft. Gordon, Georgia, where he remained for three years, serving as Confinement Officer and as Executive Officer for the 140th Military Police Company. In 1977 Major Gore was assigned to the 188th Military Police Company, Camp Walker, Korea, where he served as Platoon Leader. He then returned to Ft. McClellan, Alabama, to attend the Military Police Advanced Training Course. In 1979 Major Gore attended Initial Pilot Training, Attack Helicopter Training, and TOW Missile Qualification Training at Ft. Rucker, Alabama. His first aviation assignment was with the U.S. Army Missile Command at Redstone Arsenal, Alabama, where he assumed duties as Flight Operations Officer and Fixed Wing Pilot. In 1983 Major Gore was assigned to Ft. Wainwright, Alaska, where he served as Airfield Operations Officer and as Executive Officer of Troop E, 1st Air Calvary. The final 13 months of his Alaska tour of duty were spent in command of Headquarters Company, Ft. Wainwright. In 1986 Major Gore was assigned to Air Command and Staff College.

ABOUT THE AUTHOR

Major David W. Reaney enlisted as an Intelligence Analyst in the United States Army in 1969 and served in the United States and Federal Republic of Germany prior to his commissioning through the Officer Candidate Program at Fort Benning, Georgia, in 1974. He completed a Bachelor of Science degree in sociology from the University of New York in 1978 and a Master's Degree in Systems Management from the University of Southern California in 1980.

Major Reaney completed the Military Intelligence Officer Basic Course and the Tactical Intelligence Officer Course at Fort Huachuca, Arizona, in 1974. He then completed the Electronic Warfare/Cryptologic Officer Course at Fort Devens, Massachusetts, and remained there, serving as an instructor, company executive officer, and brigade assistant logistics officer. In 1977 he was assigned to the 25th Infantry Division, Schofield Barracks, Hawaii, where he served with an infantry battalion, the divisional intelligence company, and the division intelligence staff. In 1980 he attended the Military Intelligence Officer Advanced Course at Fort Huachuca, followed by assignment as an Assistant Professor of Military Science at the University of South Alabama, Mobile, Alabama. In 1983 Major Reaney attended the Strategic Intelligence Officer Course at Fort Huachuca, and was assigned to the European Command Defense Analysis Center, Stuttgart, FRG. Initially assigned in August 1983 as a watch officer in the Current Operations Division, he became Chief of the Division in April of 1984, where he remained until his assignment to the Air Command and Staff College in 1986. Major Reaney also completed the Army Command and General Staff College by correspondence in 1986.

TABLE OF CONTENTS



EXECUTIVE SUMMARY

Part of our College mission is distribution of the students' problem solving products to DoD sponsors and other interested agencies to enhance insight into contemporary, defense related issues. While the College has accepted this product as meeting academic requirements for graduation, the views and opinions expressed or implied are solely those of the author and should not be construed as carrying official sanction.

"insights into tomorrow"

REPORT NUMBER 87-0915 87-2075

AUTHOR(S) MAJOR ROBERT L. GORE, U.S. ARMY
MAJOR DAVID W. REANEY, U.S. ARMY

TITLE APPLICABILITY OF THE CODE OF CONDUCT IN A TERRORIST HOSTAGE SITUATION

I. Problem: The U.S. Code of Conduct adopted in 1957 was written based on the experiences gained from U.S. involvement in previous major wars. Its intent was to provide a framework by which American soldiers could pattern their conduct if taken prisoner. Today, U.S. military personnel are facing a new form of warfare which was not anticipated during the Code's formulation, and therefore, unaddressed. This new form of warfare is terrorism--a war in which the soldier may well face captivity but experience conditions and demands which are far different from those faced by the historical prisoner of war (POW).

II. Objective: To determine if the U.S. military Code of Conduct provides adequate guidance for U.S. military personnel to model their conduct by when held hostage by terrorists.

III. Discussion of Analysis: Research into the taking of hostages reveals similarities between terrorists and highlights three different situations military personnel may face. The coincidental hostage situation displays few similarities to that of a POW. A hostage will not normally face interrogation or prolonged imprisonment. The intentional hostage situation is

CONTINUED

closely related to a kidnap for ransom but can involve interrogation directed towards revealing information supporting the kidnapper's ideological goals. Finally, the government sanctioned situation is closely related to that of a POW. The prisoner faces prolonged imprisonment and interrogation seeking military information he/she possesses. Military personnel placed in these situations can not use POW status and need a strong awareness of the implications of their actions, as survival is based on rules that can be vastly different from those faced by a POW.

IV. Conclusions: The Code of Conduct in its present form is a valuable guide but is not adequate, and if followed to the letter, could prove detrimental to the safety of military personnel in a terrorist hostage situation. The circumstances of a military hostage, although held under hostile conditions and segregated from U.S. control, differ considerably from the circumstances under which a POW is detained. There are three distinct differences between POW and hostage which are the basis for necessary code revisions. First, a hostage lacks the recognized political-legal framework which is provided the POW through The Geneva Convention. The remaining two differences, purpose of abduction and, conditions for release, impose unique challenges for both the U.S. government attempting to effect release and for the hostage facing an uncertain future. Compliance with the Code in its present form is unrealistic and in some regards, counterproductive.

V. Recommendations: Articles II, III, and V of the U.S. military Code of Conduct require revision before the Code can realistically be applied in a terrorist hostage scenario. It is only through revision that the Code can be effective at providing the standard for conduct and the hope for return required by U.S. military hostages.

Chapter One

EVOLUTION OF THE CODE OF CONDUCT

Before addressing the Code of Conduct's adequacy for use by U.S. military personnel held hostage by terrorists, it will be necessary to discuss historical aspects for its development. Once we have analyzed situations for which the Code was designed, we can then compare these situations with actual conditions faced by U.S. hostages in recent terrorist abductions (15:8). This chapter will examine the historical development of those practices, rules, and policies that are the basis of the Code of Conduct (3:9).

Americans have known war from the country's very conception after the Revolutionary War to the present. There have been only brief periods throughout our history in which American soldiers have not faced the possibility of being taken prisoner. In combat the American soldier has fought bravely, but his conduct as a prisoner of war (POW) has been less admirable.

The word "turncoat" originated during the Revolutionary War characterizing the conduct of the American soldier, subsequently convicted of treason, who entered the service of the British while interned as a POW (16:18). To discourage desertion the United States established the death penalty for American soldiers who, after capture, transferred their allegience to the British (25:62). Later in the war, the Judge Advocate General held on coercion that "extreme suffering and privation which endangered a person's life might justify enlistment with the enemy; however, if no effort to escape was made, the individual was subject to trial for desertion" (30:51). This may be considered the first attempt by the United States to regulate American POW conduct.

During the Civil War about 3,170 Federals held by the South joined the Southern Armies, and 5,452 prisoners from the South joined the Federal Army (25:62). As can be seen by these figures, substantial misconduct took place on both sides. This prisoner misconduct was addressed in War Department General Order Number 207, 3 July 1863, stating it was the duty of a prisoner of war to escape. Prosecution for misconduct was based on three criteria: misconduct where there is no duress or coercion, active participation in combat against Federal forces, and failure to return voluntarily (30:5). General Order Number 207

was intended to reduce the practice of surrendering in order to escape further combatant service (3:13). Except for this General Order, POW policy was largely ignored until World War I.

During World War I the United States captured 48,976 German POWs, and 4,120 American soldiers became POWs. Although the figures were substantial, little was done with regard to the advancement of POW policy (25:63). Even though policy was not enacted, general rules devised during the 1899 and 1907 Hague Conferences were considered generally agreed upon principles of treatment. These principles were as follows:

1. The prisoner's status was defined to be a captive of the government that held him rather than of the soldier who had physically captured him.
2. The holding government was responsible for providing the captive with humane treatment.
3. The prisoner was to be excluded from participating in the war itself.
4. Prisoners were to reveal their true identity, to include name, rank, and service number (21:141).

During World War II, considerable disparity in the treatment of American prisoners became evident. The Germans, on one hand, tended to be consistent in their treatment of prisoners. They often used the friendly approach in order to gain information from prisoners. On the other hand, the Japanese were notorious for brutal atrocities. The grim results of Japanese conduct are noted in the fact that of some 17,000 Americans who surrendered on Bataan and Corregidor, only 5,000 lived through the 3-1/2 years of captivity (27:19).

The Korean War introduced different techniques and terminology for the American prisoner. Such words as brainwashing, progressives, reactionaries, carrot-and-stick approach, and defectors were often used terms but understood by few (5:5).

The effects of these terms can be seen in the gruesome statistics of this war. During the Korean War a total of 7,190 Americans were captured by the enemy (30:8). In April of 1953, when American POWs were returned in exchange for Communist Chinese and North Koreans, it was learned that 2,730 of these 7,190 Americans had died in Korean prison camps. This ghastly death toll of 38 percent was the worst since the Revolutionary War (30:25). An equally shocking statistic is of the 4,428 Americans who were recovered from Korean prison camps; 565 were questioned as to their conduct, and of these, 192 had committed chargeable offenses against their fellow prisoners or country (29:679). Also, 21 servicemen collaborated with the enemy to the extent of refusing repatriation at the end of the war (5:5).

Army figures indicated that 15 percent of the Americans had actively collaborated with the Communists, and only 5 percent had vigorously resisted (39:262).

While the actual number of cases of misbehavior in Korea was quite small, the American public was concerned with the conduct of American prisoners. During the early stages of the war, most POW stories in the New York Times were about atrocities which were committed by the North Korean and Chinese forces. As the war drew to an end and an uneasy truce was established, the emphasis of the news stories began to change. By 1953 over 46 percent of the reports were concerned with American soldier misconduct. These stories increased to 76 percent in 1954 (4:153). It is clear from these statistics the American public was not pleased with American POW conduct and, in turn, sent these feelings to governmental officials. As a result of what, for the most part, were misconceptions based on erroneous generalities by the American public, President Eisenhower found it necessary to clearly define the principles of conduct for American military personnel.

On 17 May 1955, Secretary of Defense Charles E. Wilson sent a memorandum to the Chairman of the Defense Advisory Committee on Prisoners of War directing the writing of a simple, easily understood code which a soldier could use to govern his conduct during captivity. The committee met over a two month period and studied the issue. The committee concluded that Americans required a unified and purposeful standard for prisoner of war conduct, and this standard should be backed up with a training program. They further stated that from no one did they receive stronger recommendations on the point than from the former American POWs in Korea, both officer and enlisted (30:vii).

On 17 August 1955, President Eisenhower signed Executive Order Number 10631 which established the Code of Conduct and directed the individual services to institute training programs based on guidelines provided by the Secretary of Defense. From this point the services began to assume varying positions regarding interpretation of the Code.

The most obvious interpretation difference between the services can be seen in Article V. The Army, Navy, and Marine Corps followed a Code of Conduct pamphlet published in 1959 that emphatically recommended adherence to the "big four" philosophy (name, rank, service number, and date of birth), while the Air Force chose to continue to follow the 1955 guidelines of "the use of ruses and stratagems to evade and avoid the disclosure of important informatioin" (12:II-3). The services continued to individually interpret the Code until 1964 when Secretary McNamara directed the services to develop a method by which consistency of interpretation could be insured. The response to

this challenge was Department of Defense Directive 1300.7, "Training and Education Measures Necessary to Support the Code of Conduct," dated 8 July 1964 (6:5).

Following the publication of Defense Directive 1300.7, the Code remained largely unquestioned until the conclusion of the Vietnam War. The return of U.S. POWs from Vietnam sounded the need to reevaluate the wording and interpretation of the six articles in order to again settle the differences between services.

To review and design solutions to the problems which were surfaced by returning U.S. POWs from Vietnam, Secretary of Defense Clements formed a Defense Advisory Committee to reaffirm the validity of the Code of Conduct for its intended purposes or recommend necessary changes (11:30). The committee was formed in March 1976 and submitted its report to the Secretary of Defense in July 1976.

The committee arrived at a number of conclusions and recommendations. Most importantly, the committee concluded that the Code of Conduct is a valid and necessary instrument which establishes high standards of behavior for all members of the Armed Services. While validating the Code's need, the committee also recommended Article V be reworded to bring about a better understanding of the article's original intended meaning. Based on the committee's recommendations, President Carter signed Executive Order Number 12017 on 3 November 1977, amending Article V of the Code of Conduct. This effected the first and only change to the Code of Conduct since its conception in 1955.

Despite the fact that there has only been one change to the wording of the Code, clarification and training guidance have been effected periodically in DOD Directive 1300.7. The 1976 committee saw need for clarification and continued review of the Code stating:

> Changing world conditions could well require future periodic reviews of the Code. United States and International Law may change significantly, potential adversaries may introduce radically new methods of captor behavior, and new concepts of neutral power detention may evolve. Each of these developments could require a change to the Code (11:28).

The committee's premonition of changing world conditions was short in coming. The late 70s and early 80s opened a new chapter in the history of American POWs. This chapter saw service personnel not as POWs but instead isolated from U.S. control at the hands of terrorists in a peacetime environment.

We believe that even though there are similarities, there are also very significant differences between the conditions faced by a hostage held by terrorists and the conditions faced by U.S. POWs. Armed with the historical basis for the Code, we will now review the intended purpose of the Code of Conduct to determine if it can be effectively applied to this new form of war--terrorism.

Chapter Two

PURPOSE OF THE CODE OF CONDUCT

To this point we have examined the historical evolution of the Code. It is equally important that we understand the original purpose of this important document before attempting to apply it in hostage situations.

The Code of Conduct was the first clearly defined standard of action applicable to Americans after capture. This set of principles established fundamental guidelines for U.S. service personnel for helping them and their country survive future conflicts (25:67). This brings up an important point. The purpose of the Code is not only to establish moral guidelines which can sustain a soldier through the difficult ordeal, but it seeks to protect national interests by minimizing the flow of valuable information to the enemy.

The purpose of the Armed Forces Code of Conduct can be summed up as twofold: to protect, at whatever cost, the cause for which this country stands and at the same time ensure the greatest hope and survival for the men who serve that cause (25:67).

The Code of Conduct is a set of standards developed from the analysis of American military personnel held captive as prisoners of war since World War I. To determine if these standards of conduct can be applied to military personnel involved in a terrorist incident, we must first examine this phenomenon known as terrorism. We will do this by analyzing terrorism itself, its motives, and its methods of exploitation of those held hostage.

Chapter Three

MOTIVES OF THE TERRORIST

Now that we have looked at the historical origins of the Code of Conduct and its purpose, we need to look at the motives of terrorists in abducting or detaining military personnel. To do this, we must review the information on the three basic types of hostage-takers, look at the background of terrorists, and review some statistics concerning hostage situations to see what kind of historical insights may be provided.

In looking at terrorists' motives, we should first identify who the terrorists are and get a better understanding of them. Frederick J. Hacker divides terrorists into three basic types: the crazy, the criminal, and the crusader (1:22,23). These different types approach a terrorist incident with different goals in mind and with different levels of commitment towards the achievement of those goals. In recent years, hostage-taking has become a favorite tactic of political terrorists. However, largely because of the intense publicity surrounding terrorist hostage-siege situations, hostage-taking has also bourgeoned as a tactic of mentally unstable and criminal individuals.

The criminal involved in a hostage situation has normally conducted a kidnapping for ransom or has taken hostages when foiled in the commission of another crime. His actions are the least likely to involve utilization of the military status of a hostage to pressure the government in meeting his demands. His main goal is either monetary or escape.

The crazy is called such because his reasons for action do not normally make sense in society's value system. He will take hostages associated with what he sees as wrong. This might be actions aimed at workers of a chemical plant or the crew of a nuclear submarine. If his reasoning involves the military, he could present a danger to a military hostage; otherwise, a military hostage is in no different situation than any other hostage.

The crusading terrorist is usually motivated by religious or political goals and takes hostages with a specific purpose in mind. It is this group of hostage-takers who may intentionally take a symbolic military hostage or take advantage of a military

hostage taken in a general hostage incident. We will concentrate on the crusader in determining motives involved with the taking and exploitation of military personnel (37:147-150).

In profiling the individual crusading terrorist, we find common characteristics or similarities. In most cases terrorists are between 22 and 25. Exceptions include the Palestinian terrorists, who average in their late 20s, and the more radical German groups, such as the Baader-Meinhof gang, who average in their early 30s. Over 80 percent of terrorists are male, and females in the groups are most often found in support functions. Again, exceptions exist within the German groups where the majority shifts to a 60 percent female structure, and unlike other organizations, there is no apparent division of roles based on sex. Not surprisingly, approximately 80 percent of terrorists are single, since family ties are seen as a source of pressure that can be used against the terrorist.

Generally terrorists come from the educated middle and upper class. Sixty-five percent of the Baader-Meinhof gang are from the middle class, and even a large percentage of Palestinian terrorists are from the middle class. Along with common social background, above average educational level is found throughout terrorist groups with the majority having some university education. The most striking example of this is found in the German groups where 80 percent have studied at the university level. Because of the concentration of the educated upper and middle class on campus, terrorist groups use philosophical ideas aimed to attract university students.

We now have a fairly accurate picture of the terrorist. The typical terrorist, and likewise the typical hostage-taking terrorist, is a single male in his 20s who comes from an urban middle class environment. He has probably recieved some university level education and, very possibly, was recruited into a group from a university campus (1:45-60).

Identifying the philosophy of individual terrorist groups is very difficult to put into statistical form, and therefore, can only be reduced to a general pattern. Three basic ideological tendencies are most often noted: anarchism, Marxism-Leninism, and nationalism. These ideologies are most often found in combinations. The Palestinians are largely nationalists with Marxist leanings, while the Baader-Meinhof gang has a strong Marxist outlook with a healthy dose of anarchism. Regardless of the exact blend, all of the crusading terrorists can be expected to look at hostage-taking as an option for action.

The demands often contain the terrorists' "reason" for the incident. A review of the initial demands of terrorists in hostage-taking incidents reveals that 29 percent involve

monetary, 12 percent involve a combination of monetary and safe conduct and/or the release of prisoners, and 14 percent are solely for the release of prisoners. Six percent are for political changes, 8 percent for changes in private sector corporate policies, and in nearly 30 percent no demands at all are made. It must be noted however, that very rarely are all the demands of the terrorists met prior to settlement of a crises; therefore, it can be assumed that these initial demands are merely starting points for negotiation (1:99-121).

Goals of groups in terrorist actions involve a wide range of specific rationale. For example, the very ability to seize a prominent official may be seen as a political propaganda victory by the terrorists. The 1981 kidnapping of General Dozier by the Italian Red Brigade was probably conducted simply to prove group strength. In looking at Clive Aston's analysis on hostage-taking in Europe, seizing hostages for political gain has been claimed by more than 35 different organizations. The majority of airline hijackings and political kidnappings occur as a result of planned activities and are likely to have specific demands related to the incident. Demands are most likely designed to meet tactical (release fellow terrorists held by authorities) or strategic (publicity for the cause) goals of the group (2:57-81).

Whether or not hostage-taking will meet desired objectives is critically dependent upon the accuracy of the terrorists' calculations concerning the timing, degree, and type of action required (37:41-42). Historically, hostages are chosen either for quality or quantity, based on the potential demands of the terrorist. Sixty-six percent of all incidents involve quantity as the prime consideration. These are the most likely situations in which lower ranking military personnel will be involved. In kidnapping, quality is the most likely situation to be faced by senior personnel. Whether a quantity or quality situation, the demands of the terrorist are the critical consideration.

Terrorist groups take a lot of time to identify targets and goals prior to the actual planning and execution of an event. They can be attracted by the wide spectrum of news agencies covering the event and thereby publicizing their cause, or they may be taking action to obtain funds for the organization, to satisfy social demands, or to elicit agreement from sympathizers who might become recruits. Identification of targets and goals provides the basis for further planning.

The next phase involves surveillance to identify trends and weaknesses for the development of a plan of action. This can be brief or very elaborate depending on the notoriety and personal protection of the intended target. Intelligence is gathered on every aspect of the target to identify the "weak link" at which

to strike. Surveillance results in multiple contingencies taking the whole situation into account (7,all).

Once the kidnapping or hijacking takes place, negotiation becomes the major strategy in which military personnel hold a unique position. Despite appearances, all hostages are not equal. Some are more important to governments than others (9:45). The fact that once military personnel are identified and singled out indicates that hostage-takers see them as useful tools in negotiations. The most recent example of this was the segregation of the military passengers on TWA flight 847. In this incident a U.S. military passenger was consciously selected for murder as a statement of intent (8:33). Whether military personnel are taken deliberately or coincidentally, terrorists recognize their value in negotiations.

The move to transnational terrorism is a deliberate action on the part of terrorist groups. It causes additional stress on governments by changing the value of the hostage, further improving the terrorists' negotiating power. The inclination to target Americans abroad stems largely from an exaggerated belief in the U.S. Government's ability to influence events (35:4).

A revision of targets is taking place that can be expected to involve a shift from civilian to military targets. Increasing public condemnation of senseless terrorist violence, coupled with the symbolic value of the military are key factors in this shift. It is designed to convince the populace that government is the problem, and that the terrorists are taking action against the government (32:6-7). Whatever the rational, these factors combine to indicate an increased targeting of military personnel by terrorists.

Chapter Four

TERRORIST EXPLOITATION

To conduct an analysis of the various ways terrorist groups have tried to exploit hostages and thereby determine how to prepare military personnel for future situations, we should look at recent incidents. In reviewing them, we find they have involved coincidental, intentional, and government sanctioned situations. The servicemen on TWA flight 847 in June 1985 found themselves singled out as a result of a coincidental hostage situation. Brigadier General James Dozier was captured and held by the Red Brigade in 1982 as an intentional hostage; they meant to capture him personally. Finally, the servicemen captured when the American Embassy in Tehran was taken in 1979 found themselves hostage of a group that was sanctioned by the government of the country involved. We will look at similarities and differences in the way hostages were treated and the attempts to manipulate them by their captors.

When TWA flight 847 was hijacked after leaving Athens, Greece, there were seven U.S. servicemen who were separated from the rest of the passengers and remained so throughout their nineteen days of captivity. Initially, five of the men were identified by their use of a military ID card rather than a passport. Within several hours of the takeover, the last two military passengers were identified when their official passports were found. Once identified, the servicemen were moved to the back of the plane and kept under direct observation, probably because the terrorists viewed them as the greatest threat and as available symbols of American government (8:29-33).

When it was necessary to use a passenger to pressure authorities for demands, military passengers were singled out for the purpose. "About two rows in front of me, to my left, was Crazy. He was pulling one of the young Navy men from the center seat. It was Bob Stethem" (8:33). When another example was needed because Petty Officer Stethem had passed out, another serviceman was selected. Major Carlson was brought into the cockpit, and a terrorist began to pistol whip and kick him. Hearing the conversation between the captain and tower, Carlson realized that the terrorist was beating him so the tower personnel would believe the demands of the terrorists were

serious (8:46-47). When the terrorists decided another example was needed, PO2 Stethem was shot and thrown from the plane.

When all passengers were taken off the plane, five of the surviving military personnel were placed in a building separate from the others. The sixth had a "Jewish sounding" name and was placed with other suspected Jews. Although they were separated from the other passengers, the servicemen were not interrogated. Their separation indicates that they were considered special in some way never determined by the captives.

The military prisoners of TWA flight 847 fully realized that they had a special obligation in regard to their conduct as captives. PO2 Stethem refused to cooperate with the terrorists and was quickly singled out when an example was needed. All the servicemen had an awareness of the requirements of the Code of Conduct but indicated that they did not know it completely (20:3-6). They tempered their actions based on their possible effect on the other passengers and the fact that they were not being recognized as POWs by their captors. They decided to freely discuss unimportant aspects of their jobs and their families to ease their situation as much as possible and let the terrorists see they were not a threat. Their collocation allowed them to develop a plan to meet their needs while highlighting their status as military personnel with a special responsibility.

The goals held by the terrorists for this hijacking will probably never be completely known. Their demands for the release of the passengers of TWA flight 847 included a call for the United States to force the release of 766 Shi'ite prisoners being held by Israel. The servicemen were not told why they were separated from the other passengers; however, they felt that the removal of the suspected Jewish passengers and U.S. military personnel was designed to complicate the problems of rescue attempts on the part of Israel and/or the United States (8:83-84).

As discussed in the previous chapter, not all hostages are equal, and it appears the military personnel were viewed by the terrorists as being special. Attempts to have the servicemen pose with weapons did not bear fruit for the terrorists, so it is only conjecture that these were attempts to obtain propaganda photos for exploitation. Whatever the objectives, it was clear that the military passenger was in a unique, probably more hazardous, position compared to his civilian counterpart in this coincidental hostage situation.

The kidnapping of Brigadier General James Dozier provides insight as to the goals of terrorists in a deliberate hostage situation. We will look at this incident and the reasons for his capture.

The Red Brigade had been very active in Italy for a number of years prior to the Dozier kidnapping but directed their efforts towards achieving their goals at Italians. This previous effort stemmed from objectives of overthrowing the Italian government by revolutionary means and installation of a communist system in its place (34:1). General Dozier's kidnapping was apparently a result of an expansion of the Red Brigade's target group based on their assumption that the U.S. controlled the Italian government.

The capture and imprisonment of General Dozier in June 1982 involved a complex plan by a dedicated group of terrorists. General Dozier had been surveilled for a long time by his captors. His rapid transfer to an apartment dubbed a "peoples prison" by the terrorists and the very effective isolation techniques used to keep him disoriented involved precise timing and detailed planning.

During his captivity, General Dozier was told why he had been kidnapped. First, the terrorists wanted to use him to gain the release of prisoners held by the Italians. Secondly, they wanted him to "explain the plan for U.S. domination of NATO in the political, military, and economic areas with particular regard to Italy" (34:73). General Dozier had been taken because they saw him as a symbol of American military control in their country who, as a hostage, would assist their cause and embarrass the Italian government.

The terrorists interrogated General Dozier on several occasions in sessions lasting as long as several hours. These sessions were tape recorded and involved attempts to have him read political communiques as well as discussions on politics and world affairs. He was never physically abused by the terrorists, and when he felt he could not discuss a subject, the general simply told them so. Throughout his captivity, General Dozier did what he was forced to do but kept a strong personal code of conduct that gained the respect of his captors (14:200). The terrorists discussed their political ideas with him and sought proof of American manipulation of the Italian government from General Dozier in the interrogation sessions. The lack of concerted, effective interrogation by the terrorists is not unusual, while their attempts to have him present their beliefs and demands in communiques is a common goal of the terrorist (14:202).

The most recent, and certainly the most well known, hostage incident involving the government sanctioned terrorist involved those service members held in Iran from November 1979 until January 1981. Twenty-one of the fifty-two hostages held for the entire length of captivity were servicemen representing all services and ranging from the rank of corporal through colonel (17:107-111). In reviewing the experiences encountered by the

Iranian hostages, we find a great deal of information on what can be expected of a prisoner in this type of situation.

The Americans captured when the embassy was taken in Tehran found themselves in a unique situation from the first day of their captivity. They saw their Iranian security guards and the Iranian police step aside and let the terrorists take them captive. They found that they were isolated from their government and that the Iranian government would not act in their behalf. Finally, they were ordered not to fire their weapons and to surrender without a fight after destroying what documents they could (38:33-83).

Although the prisoners were not permitted to talk to each other, conversations with the terrorists were accepted and at times encouraged. Many of the captors spoke English, and some attempted to discuss their cause and ideology with prisoners, especially prior to planned press conferences.

> One of the students came in and started talking to me about politics and revolution. Then another came in and started talking about the same kind of stuff. All day long guys were coming in and talking to me....You talk about shock! I had no idea this was coming. But all of the sudden I realized why the students had been feeding me their ideology. They knew there was going to be this press conference and they wanted me to say some of the things they had been telling me (38:162-163).

At times the attempts to discuss their cause appeared to come from a feeling of needing to justify the cause and the capture of the embassy to boost their own confidence in the act.

The terrorists started to conduct interrogations and request information of the captives shortly after the embassy was taken. In the first months of captivity they questioned nearly everyone, and some many times. The interrogations were centered on finding proof that members of the staff were CIA agents and identifying Iranian contacts in the military and government. The tactics used included slapping, kicking, beatings, mock executions, and some prisoners being taken to the compound gates to be struck and spit upon by the mobs outside the compound. The vast majority of hostages felt an obligation to protect the government image as well as their fellow hostages during interrogations. The hostages responded by providing information felt to be useless, such as the explanation of the term MOBEX, an Army abbreviation for mobility exercise, found in letters written to Colonel Scott. But, the hostages denied knowledge of such things as safe combinations.

Outside the interrogation sessions the captives were asked to fill out questionnaires and tape messages for their families. Cooperation on this sort of request varied. Some would fill out only what they believed proper, and others insured that those portions they did not complete were lined through. Still others refused to cooperate at all.

The Iranian hostage situation posed a truly unique situation for the military personnel being held. The circumstances of their surrender was dictated by a civilian from the state department, not the senior military officer present. They were forced to give up without a fight and then faced protracted isolation in a hostile environment. They could not develop good teamwork due to the severe limits on communication and had to rely on their personal impression of the situation in dealing with interrogation. The interrogations were not conducted to seek military information but the identification of CIA members and names of people they had had contact with. As with the kidnapping of General Dozier, the information sought by the terrorists in Iran involved that which would help provide exposure for their cause, as well as exposing their enemies in the government.

In these recent hostage situations, we have found that the military captives face challenges which place them in situations more difficult than civilians. The military have been singled out because they are symbols of the government. Terrorist groups are prepared to use them as examples in a hijacking or target them for kidnappings. While held, attempts to force or coerce the hostage to provide statements assisting the terrorist cause, or simply against the government, will be made. These statements would be seen as small tactical victories by the terrorists and are not essential in meeting the overall goal of the incident. Terrorists may also attempt to gain confessions of wrong by the captive to justify the captivity itself. This was certainly the case in the Iranian hostage situation and is very likely to occur in kidnappings as well. Each type of terrorist incident places a military hostage in a unique situation. Each demands a strong awareness of the effects actions may have on his/her government, fellow hostages, and oneself.

Chapter Five

ANALYSIS OF THE CODE OF CONDUCT

To this point, we have examined the historical setting in which the Code of Conduct was founded. We have reviewed the purpose of the Code based on the experiences of four major wars in which the United States has participated. Terrorists' objectives and methods as applied to the taking of U.S. military personnel have been reviewed. Finally, the most probable types of terrorist exploitation of U.S. hostages have been presented in order to lay the foundation for the application of the Code.

We will now analyze each of the six articles as to their applicability in a terrorist hostage scenario. In this analysis we will determine if the article being reviewed applies and, if followed, what effect compliance may have on the situation. In doing so, we will determine if the article can stand alone as an effective guideline, or if modifications are required to increase the probability of hostage survival. Each article will be presented, then discussed.

Article I

> I am an American fighting man. I serve in the forces which guard my country and our way of life. I am prepared to give my life in their defense (10:4).

Article I is an affirmation of both the applicability of the Code and responsibility of the U.S. soldier. Although not explicitly stated in Article I, DOD Directive 1300.7 in clarifying Article I emphasizes that a member of the [illegible] Forces has a duty to support the interests and oppose the enemies of the United States, whether in combat or in captivity. A hostage may not have been abducted as a result of armed conflict, but this does not negate a soldier's responsiblility to support the interests of his government.

The second point in Article I concerns giving one's life in defense of country and way of life. Are there certain situations in which a hostage should be expected to give his/her life? There are hostages who by virtue of their training or duties have information that is of such a sensitive nature that their very life must be sacrificed in order to insure its security. Agents

working undercover in hostile countries may have sensitive information which, if compromised, could place others in great danger. Hostages have faced repeated mock executions as in Iran; most have heard death threats, but the requirement to sacrifice one's life is seldom necessary (14:200).

As stated earlier, terrorists' objectives usually make hostages more valuable alive than dead. A greater danger may exist by being too resistant or by provoking the terrorists. Resistance might single out a hostage for retribution later on (31:27). As Article I states, one must be prepared to give his life but not needlessly.

Article II

> I will never surrender of my own free will. If in command, I will never surrender my men while they still have the means to resist (10:6).

The question of surrender is seldom an option for a hostage. Terrorist kidnappings are usually well planned and executed. Usually terrorists have gone to great lengths to insure mission success. Surprise, timing, and firepower are closely controlled by kidnappers. During the initial confrontation, normally characterized by confusion, a hostage's only choice may be to comply or be killed. Terrorists consider hostages expendable in the event their plans are disrupted.

In the 1979 seizure of the U.S. Embassy in Tehran, Marine guards certainly had the means to resist, but resistance would have proved futile against the angry mob. If Marine guards had resisted by killing Iranian students, the guards may have been tried as murderers. This would have greatly complicated an already difficult situation; therefore, one must weigh closely the point where resistance ceases to be effective and becomes a threat to survival.

Article III

> If I am captured I will continue to resist by all means available. I will make every effort to escape and aid others to escape. I will accept neither parole nor special favors from the enemy (10:8).

Continued resistance after capture is certainly admirable, but it may drastically decrease a hostage's chances for survival. Hostages are required to walk a narrow line in this respect. On one hand, he/she must present a non-threatening image, while on the other hand, resist any possible exploitation detrimental to U.S. policy or interests. Terrorists seek classified information or press hostages to sign confession-of-guilt statements

discrediting the U.S. Government. Embassy hostages in Iran were repeatedly threatened with death if confessions and discrediting statements were not made. In such cases hostages should adhere to the Code's guidance regarding resistance.

Additionally, Article III states that it is a prisoner's duty to attempt escape. DOD Directive 1300.7, in discussing terrorist abductions, recognizes the possibility of escape but cautions that each situation will be different, and hostages must weigh carefully every aspect of the decision before an attempt is made. Hostages must not only weigh carefully chances for escape but also consider the impact of an escape on other hostages (40:19).

In some situations a hostage may want to make every effort to escape, while in others, the best chance for rescue may be to simply wait. The track record for hostage situations where governments believe in no concessions has been grim. As in the murder of U.S. Navy Lieutenant Commander Schaufelbergre in El Salvador, his death was a planned terrorist assassination with little opportunity for negotiations. In contrast, victims of hijackings are usually better off to wait out the situation. Statistics indicate that more than 90 percent of hijacking victims are eventually released unharmed (28:99).

Finally, Article III requires a hostage to "accept neither parole nor special favors" (10:8). One may recall that during the Iranian hostage situation of 1979, Iran released black and female members of the embassy. Should the military members of the group have refused special favor and refused to leave the embassy? Their release was not predicated on cooperation or conduct. Rather, Iran viewed them as oppressed minorities and sought international sympathy in their release. In this case, strict adherence to the Code would have served little purpose.

A barricade situation, as frequently seen when terrorists take over airliners, is another example of when hostages may be released prematurely. In these cases hostages are occasionally traded for governmental concessions; i.e., food, transportation, medical supplies, etc. Released hostages can provide valuable information concerning the number of hostages, number of terrorists, location, and type of weapons. Additionally, each hostage released is one less potential victim should authorities be required to exercise force in coping with the situation. Accepting release, even if other hostages are left behind, may best serve all concerned.

Article IV

> If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information or take part in any action which might be harmful to my comrades. If I am senior, I will take command. If not, I will obey the lawful orders of those appointed over me and will back them up in every way (10:10).

On the surface Article IV appears easily applicable to a hostage situation. Upon taking an enlistment or commissioning oath, soldiers are aware of the rank structure and their obligation to obey orders of those appointed over them. Unlike a POW camp in which a prisoner would be confined with other U.S. soldiers, military hostages may be alone, as was Brigadier General James Dozier at the hands of the Red Brigade in Italy; in the company of DOD civilians, as was the case in the Iranian Embassy take-over; or surrounded by civilians from many countries, as is often the case when airliners are seized.

Regardless of the group's composition, DOD Directive 1300.7 underscores the importance of establishing a chain of command, effective communications, and participation by civilian captives. Such organization will aid group cohesion and faith-keeping, serve as a source of strength, and support everyone in resisting exploitation for propaganda or political purposes (4:201).

Article V

> When questioned, should I become a prisoner of war, I am required to give name, rank, service number, and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause (10:12).

Article V discourages communications with captors, while DOD Directive 1300.7 promotes communication. The guidance of these two directives seems contradictory (14:201). Article V stresses minimum communication to avoid giving compromising information to the enemy, while DOD Directive 1300.7 recommends communication of a personal nature in order to establish a humanistic bond between captive and captor. Both principles are equally important depending on the circumstances. Hostages must consider the situation and find the middle ground, which will not only aid in release but assure freedom with honor.

The importance of communications between terrorist and hostage to gain respect and rapport cannot be overemphasized. The effects of this rapport are illustrated in General Dozier's

rescue from the Red Brigade. The general used every opportunity to discuss personal matters with his captors. His guard was under orders to kill him if anything went wrong. When the Italian carabinieri made their spectacular rescue, the guard had plenty of time to shoot his hostage, but he never used his weapon. Later, when asked why, his reply was a classic example of the life-saving power of established rapport: "Because I no longer saw the enemy. I just saw a sleeping man" (14:203).

While communications with the terrorist are critical in establishing rapport, it is equally important a hostage refrain from showing sympathy to the terrorist cause. Wyman Shuler, a United States Naval Intelligence Agent, in a 1986 Pacific Stars and Stripes article entitled "Rush Heroics Can Tighten Hostage Ropes" states, "Hostages should not become or feign innocence to their kidnapper's cause." He warns that interest might place a hostage in a more dangerous position if terrorists decide to exploit the professed sympathy. Moreover, a "converted" hostage may have tremendous propaganda value to terrorists, and that value might delay the release of hostages (31:27). Such was the case in the Patty Hearst kidnapping by the Symbionese Liberation Army in 1974.

Article VI

> I will never forget that I am an American fighting man, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and in the United States of America (10:14).

To the reader sitting in comfortable surroundings, secure in freedom, Article VI may be viewed simply as a statement of the obvious; however, Article VI is much more than that. Article VI, in fact, reaffirms what may be the most important of values. To a POW or hostage cast into a harsh environment, facing the very real possibility of death, these partriotic principles of dedication, God, and country provide the inspiration and hope needed to carry on.

Article VI begins by reminding the soldier that he/she is a soldier. Even though written with a POW in mind, a hostage, too, remains a soldier after capture. In some cases, such as the kidnapping of General Dozier, a hostage may be taken specifically because of his/her symbolic position representing the United States Government. In other incidents, hostages are under terrorist control through fate, as is often the case on hijacked airliners. Whether specifically targeted or selected at random, a military hostage must remember that he/she is at all times a soldier and represents the United States Government.

Article VI not only reaffirms the fact that the POW or hostage is a soldier, but it also establishes the fact that as such, a POW will be held accountable for misconduct. Improper conduct by a POW can severely harm other prisoners, but most of what happens in a camp remains speculative to outsiders until the prisoner returns home. In peacetime, however, the conduct of a hostage can directly influence national policy. If held by a hostile government, as was the case in Iran, a hostage may become the spokesman to an international community. By making careless remarks on television, a hostage may discredit his/her government (28:96).

Article VI may well contain the two most meaningful and sustaining principles in the Code. This portion of the Code provides the hope that is essential for a hostage to survive.

First, Article VI stresses trust in the United States of America. Although U.S. policy states that it will not yield to terrorist demands or make concessions for the release of hostages, hostages are not forgotten. It is the responsibility of the host government to insure the safety of U.S. representatives and citizens. When the host government does not or can not meet its obligations, the U.S. will go to great lengths on behalf of its citizens--witness the attempted military rescue of hostages in Iran in April 1980 (40:19).

Secondly, Article VI stresses trust in God. Colonel Thomas E. Schaefer, a hostage in Iran, stated in an interview with Army Times that he adopted the Code of Conduct as his daily guide. He further stated that he was able to overcome loneliness while in isolation through his strong relationship with God (22:6). Sergeants "Rocky" Sickman and William Gallegos also drew strength through their spiritual faith. They astounded their Iranian captors with daily prayer (40:19). Regardless of the form it takes, whether it is faith in one's self, his country, or his God, self assurance greatly increases a hostage's ability to overcome depression and anxiety.

Chapter Six

CONCLUSION AND RECOMMENDATIONS

The background of the Code of Conduct has been examined to better understand the circumstances under which the Code was designed. We have stated the purpose of the Code, examined terrorists' objectives toward U.S. military hostages, and analyzed the Code itself for applicability to terrorist hostage situations. We will now draw all parts together and offer recommendations which will provide a more realistic guidance to the U.S. military hostage.

Although the Code in its present form is a valuable guide, it is not completely adequate and, if followed to the letter, could prove detrimental to the safety of military hostages. The reason for the Code's inadequacy in a hostage situation is reflected in the words of the advisory committee that drafted the Code. "The committee unanimously agreed that Americans require a unified and purposeful standard of conduct for our prisoners of war" (30:vii). Simply stated, the Code was written to provide guidance to the American POW. Circumstances of a military hostage, although held under hostile conditions and segregated from U.S. control, differ considerably from the circumstances under which a POW is detained.

There are three distinct differences between a hostage and a POW. First, a hostage lacks the recognized political-legal framework which is provided a POW through the Geneva Convention. In wartime, the laws of armed conflict sanction the capture and holding of prisoners. In addition, the Geneva Convention directly supports the captive through internationally recognized standards of treatment and protects the captive from arbitrary trial and conviction by revolutionary tribunals or local courts (28:96). A POW captor may not always honor international law, but the justification for international condemnation is established. A hostage enjoys no such formal legal structure. In fact, criminal charges may serve as the pretense for abduction. This was the case in the American Embassy take over in which the government of Iran charged the hostages with spying. The validity of such charges may not be easily contested by the international community further complicating a hostage's situation.

The remaining two differences, purpose of abduction and condition for release, differ greatly between POWs and hostages. A soldier captured in battle and imprisoned can normally expect to be released when the warring powers achieve an armistice. A hostage seized for a specific purpose or taken incidental to a hijacking has no such predetermined condition for release. A hostage's fate and treatment will depend on other deterring factors such as unfavorable publicity, fear of reprisal, promise of concessions, or quite possibly, his/her own conduct (28:96). For these reasons, three articles, Articles II, III, and V, require revision before the Code can realistically be applied in a hostage scenario.

As previously mentioned, there are circumstances under which one may have the means to resist, although resistance is no longer practical. This is often the case when hostages are taken by terrorist groups, as noted during the take over of the U.S. Embassy in Iran. Revise Article II to read: I will never surrender of my own free will. If in command, I will never surrender my men as long as resistance is feasible.

Article III directs escape and refusal to accept parole. While realistic on the subject of escape, Article III is self defeating on the subject of parole. As stated in chapter five, release of a hostage is beneficial for many reasons as long as release is not predicated on acts which are harmful to other hostages or are detrimental to the U.S. Government. Revise Article III to read: If I am captured I will continue to resist by all means available. I will make every effort to escape and aid others to escape. I will accept parole only when it is in the best interest of my government to do so.

Article V may be impractical based on the inability of most prisoners under torture or deprivation to limit information provided their captors to only name, rank, service number, and date of birth. In a hostage situation, the problem stems not from an inability to retain information but from the necessity to provide information in order to promote a humanistic relationship between captive and captor. Revise Article V to read: When questioned, should I become a prisoner of war, I am required to give name, rank, service number, and date of birth. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause.

Compliance with the Code in its present form is unrealistic and in some regards counterproductive. The recommendations submitted are subtle on the surface, but they transform the Code from a handicap into a realistic moral foundation by which to pattern one's conduct. The recommendations contained in this study will more closely align the Code of Conduct with present and future hostilities encountered by American military personnel.

BIBLIOGRAPHY

1. Alexander, Yonah, and Lawrence Z. Freedman. Perspectives on Terrorism. Wilmington: Scholarly Resources Inc., 1983.

2. Aston, Clive C. (ed). "Political Hostage-taking in Western Europe." Contemporary Terrorism. New York: Facts on File, 1986.

3. Bargery, Basil L., Lt Col. "Article V of the Code of Conduct: "Status Quo" or Change." Unpublished Air Command and Staff Study, Air University, Maxwell AFB, Alabama, 1974.

4. Biderman, Albert D. March to Calumny: The Story of American POW's in the Korean War. New York: Macmillan Company, 1963.

5. Brodman, Robert F., Ltc, and James R. Turpen, Ltc. "The Code of Conduct." Unpublished Air Command and Staff College Study, Maxwell AFB, Alabama, 1972.

6. Cadenhead, C. Chris, Maj. "Medical and Religious Personnel POW or Retainee." Unpublished Armed Forces Staff College Study, Norfolk, Virginia, 1978.

7. Capotorto, Gerardo. "How Terrorists Look at Kidnappings." TVI Journal, Vol 5 (Winter 1985), pp. 8-11.

8. Carlson, Kurt. One American Must Die. New York: Congdon and Weed, 1986.

9. Crelinsten, Ronald D., and Denis Szabo. Hostage-Taking. Lexington: D. C. Heath and Company, 1979.

10. Department of the Army Pamphlet No. 360-512, Code of the U.S. Fighting Force. Washington: American Forces Information Service, 1979.

11. Department of Defense. Report of Defense Review Committee for the Code of Conduct. Washington DC: Government Printing Office, 1976.

CONTINUED

12. Department of Defense. Report of Defense Review Committee for the Code of Conduct, Report Supplement Vol II. Washington DC: Government Printing Office, 1976.

13. Department of Defense Directive No. 1300.7, Training and Education Measures Necessary to Support the Code of Conduct. Washington: Department of Defense, 19 December 1984.

14. Derrer, Douglas S. "Terrorism." Naval Review, (May 1985), pp. 190-203.

15. Duncan, Clyde E., Maj. "The Peacetime Adequacy of the Code of Conduct." Unpublished Air Command and Staff College Study, Air University, Maxwell AFB, Alabama, 1966.

16. Dunn, J. Howard, Col, and W. Hays Parks, Maj. "If I Became A Prisoner of War." U. S. Naval Institute Proceedings, (August 1976), pp. 18-23.

17. Engelmayer, Sheldon D., and Robert J. Wagman. Hostage. New York: Caroline House, 1981.

18. Executive Order 10631, Code of Conduct for Members of the Armed Forces of the United States. Washington. Government Printing Office, 17 August 1955.

19. Executive Order 12017, Amending the Code of Conduct for Members of the Armed Forces of the United States. Washington: Government Printing Office, 3 November 1977.

20. Foster, Simeon E. "Terrorism: Facing an Ugly Reality." All Hands, Vol 822 (September 1985), pp. 3-6.

21. "Internment and Custody." International Encyclopedia of the Social Sciences, (New York, 1968), p.140.

22. "Iranian Ordeal." Air Force Times, Vol 41 (2 March 1981), p. 6.

CONTINUED

23. Jenkins, Brian M. International Terrorism: Choosing the Right Target. Santa Monica: The Rand Corporation, 1981.

24. -----. International Terrorism: The Other World War. Santa Monica: The Rand Corporation, 1985.

25. Lyons, William P., Lt Cdr. "Prisoners of War and the Code of Conduct." Naval War College Review, Vol 20 (December 1967), pp. 60-91.

26. Nissen, David. "Talking Sense to Terrorists." Current News Special Edition--Terrorism, (5 August 1986), pp. 37-40.

27. Olson, John E. "No Surrender." Military Review, Vol 34 (March 1955), p. 19.

28. Porter, Richard E. "Military Hostages: What They Need to Know and Don't." Air University Review, Vol 33 (January-February 1982), pp. 94-101.

29. Prugh, George S., Jr. "The Code of Conduct for the Armed Forces." Columbia Law Review, LVI (April 1956).

30. Report of the Secretary of Defense's Advisory Committee on Prisoners of War. POW, The Fight Continues After the Battle. Washington DC: Government Printing Office, 1955.

31. "Rush Heroics Can Tighten Hostage Ropes." Current News Special Edition--Terrorism, (14 August 1986), pp. 13-14.

32. Schmetzer, Uli. "Terrorists Revise Hit List to Give Military Priority Over Civilians." Chicago Tribune. 24 August 1986, pp. 6-7.

33. Scott, Charles W. Pieces of the Game. Atlanta: Peachtree Publishers, 1984.

CONTINUED

34. U.S. Army Intelligence and Security Command, Intelligence and Threat Analysis Center. The Kidnapping of BG James L. Dozier. Washington: U. S. Government, June 1982.

35. United States Drug Enforcement Administration. Terrorism: Avoidance and Survival. Washington: Government Printing Office, 1984.

36. Von Seyfried, Henry. "Surviving an Airplane Hijacking." Marine Corps Gazette, Vol 70 (January 1986), pp. 38-39.

37. Wardlaw, Grant. Political Terrorism. Cambridge, UK: The University Press, 1982.

38. Wells, Tim. 444 Days. Orlando, Florida: Harcourt, Brace, Jovanovich, 1985.

39. White, William L. The Captives of Korea. New York: Scribner, 1957.

40. Wolfertz, Robert T., Cpt. "Surviving A Hostage Situation." Marine Corps Gazette, Vol 66 (January 1982), pp. 18-20.